AGENDA ZONING REVIEW BOARD THURSDAY, JULY 8, 2004

6:00 P.M., CITY HALL, COUNCIL CHAMBER, SECOND FLOOR Marked Agenda

CASE REFERRED BACK FROM ZONING COMMITTEE:

*Z-04-29 – An Ordinance to amend the 1982 Zoning Ordinance of the City of Atlanta by rezoning from the I-1, I-2, C-1, C-2, C-3, R-4, R-4A, R-5 and RG-3 Districts to the C-1, MRC-1, MRC-2, MR-2, MR-3, MR-4B, and O-I District properties located on either side of Donald Lee Holowell Parkway, N.W. (fka Bankhead Highway, N.W.) and for other purposes.

NPU-G, H, I, J, K Approval COUNCIL DISTRICT 3 & 9

BY: ZONING COMMITTEE Staff Recommendation: Approval

ZRB Recommendation: Approval of Substitute

NEW CASES:

Z-04-24 – An Ordinance to amend various sections of the zoning code of the City of Atlanta, for the purpose of clarifying and/or redefining certain terms in Section 16-29.001(16) "Human Services" and including Personal Care Homes, Rehabilitation Centers, Nursing Homes and to add a definition for Assisted Living Facilities; to provide how permit applications for such uses are to be processed; to regulate the parking required for such uses; to amend various sections of the Zoning Code to specify where and how such uses may be permitted and for other purposes. BY: COUNCILMEMBERS IVORY LEE YOUNG, JR., CLETA WINSLOW, CARLA SMITH AND NATALYN ARCHIBONG

NPU's See Attached Staff Recommendation: Approval

ZRB Recommendation: Approval of Substitute

Z-04-46 – An Ordinance to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, by creating a New Chapter entitled Chapter 18V, SPI-22, **Memorial Drive** – **Martin Luther King, Jr., Drive Corridor** regulations and to amend the Official Zoning Map by supplanting existing zoning districts R-5, RG-4, RG-5, C-1, C-1-C, C-2, C-2-C, C-3, I-1, I-1-C, I-2, PD-H, and LD-20A, with said SPI-22 District and to amend Chapter 28A.010 by adding a new Subsection (47) SPI-22, Memorial Drive – Martin Luther King, Jr., Drive Corridor District; and for other purposes.

NPU-V, W, N V-No Planner's report COUNCIL DISTRICT 1 & 5

W-Deferral: N-Deferral

BY: ZONING COMMITTEE

Staff Recommendation: 120-Day Deferral

ZRB Recommendation: Deferred to November 2004

Z-04-44 – An Ordinance to rezone from the R-1 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **1671 West Paces Ferry Road**, **N.W.**, fronting approximately 331.62 feet on the north side of West Paces Ferry Road beginning at the northwest corner of Nancy Creek Road. Depth: Varies; Area: 11.232 acres; Land Lot 217 and 218, 17th District, Fulton County, Georgia.

OWNER: NANCY CREEK OVERLOOK, LLC

APPLICANT: SAME

BY: CARL E. WESTMORELAND, JR., ATTORNEY

NPU-A No Planner's Report COUNCIL DISTRICT 8

Staff Recommendation: Approval

ZRB Recommendation: Deferred to September 2004

Z-04-51 – An Ordinance to rezone from the I-1 (Light Industrial) District to the PD-MU (Planned Development-Mixed Use) District, property located at **166 16**th **Street, N.W.**, fronting 136.90 feet on the south side of 16th Street beginning at the southeast corner of Fowler Street. Depth: 361 feet; Area: 1.307 acres; Land Lot 108, 17th District, Fulton County, Georgia.

OWNER: MADISON MIDTOWN, LLC APPLICANT: J. CHARLES HENDON

BY: CARL E. WESTMORELAND, JR., ATTORNEY

NPU-E Applicant did not attend NPU mtg. COUNCIL DISTRICT 2

Staff Recommendation: Denial

ZRB Recommendation: Deferred to October 2004

Z-04-52 – An Ordinance to rezone from the R-4 (Single-Family Residential) District to the PD-MU (Planned Development-Mixed Use) District, property located at **Brenda Drive, S.W.**, fronting 415.78 feet on the south side of Brenda Drive beginning 50 feet east from the southeast corner of Fairburn Road. Depth: 1444.43 feet; Area: 13.5303 acres; Land Lot 36, 14th District, Fulton County, Georgia.

OWNER: PRINCETON LAKES, LLC APPLICANT: JAMES R. BAILEY

NPU-P Approval with conditions (attached) COUNCIL DISTRICT 11

Staff Recommendation: Approval with conditions ZRB Recommendation: Approval with conditions

Z-04-54 – An Ordinance to rezone from the I-1-C (Light Industrial-Conditional) District and the I-2 (Heavy Industrial) District to the LW (Live Work) District, property located at **972-980-990-1000-1022 Marietta Street, N.W.**, fronting 600.84 feet on the southwesterly side of Marietta Street beginning approximately 577 feet northwesterly from the northwest corner of Jefferson Street (Now Abandoned). Depth: Varies; Area: 4.5921 acres; Land Lot 112, 14th District, Fulton County, Georgia.

OWNER: NEWPORT INVESTMENT GROUP, LLC

APPLICANT: SAME

BY: CARL E. WESTMORELAND, JR., ATTORNEY

NPU-E Applicant did not attend NPU-E mtg. COUNCIL DISTRICT 3

Staff Recommendation: 60-Day Deferral

ZRB Recommendation: Deferred to August 2004

Z-04-58 – An Ordinance to rezone from the R-3 (Single-Family Residential) District to the R-3A (Single-Family Residential) District, property located at **4500 Stella Drive**, **N.W.**, fronting 167 feet on the westerly side of Stella Drive beginning approximately 550 feet northwesterly from the northwest corner of Powers Ferry Road. Property also fronts 87.52 feet on the east side of Powers Ferry Road. Depth: 289.73 feet; Area: 0.6 acre; Land Lot 118, 17th District, Fulton County, Georgia.

OWNER: PHILLIP R. SAIN

APPLICANT: SAME

NPU-A Denial COUNCIL DISTRICT 8

Staff Recommendation: Approval ZRB Recommendation: Denial

Z-04-49 – An Ordinance to amend Section 16-28.023 of the City of Atlanta Zoning Code concerning the Transfer of Development Rights; and for other purposes.

BY: ZONING COMMITTEE NPU's See Attached Staff Recommendation: Approval

ZRB Recommendation: Approval of Substitute

Z-04-50 – An Ordinance to amend Section 16-10.004 of the City of Atlanta Zoning Code so as to allow banking as an accessory use in the O-I Zoning District, and for other purposes.

BY: ZONING COMMITTEE NPU's See Attached Staff Recommendation: Approval ZRB Recommendation: Approval

DEFERRED CASES:

Z-04-25 – An Ordinance to rezone from the C-1-C (Community Business-Conditional) District to the R-4B (Single-Family Residential) District, property located at **Park Place**, **N.E.**, fronting approximately 343.43 feet on the southwesterly side of Park Place beginning at the southwest corner of College Avenue. Depth: Varies; Area: 20,827 square feet; Land Lot 212, 15th District, DeKalb County, Georgia.

OWNER: MARGERY M. JENNISON

APPLICANT: ALLAN HOSS

NPU-O Approval COUNCIL DISTRICT 5

Staff Recommendation: Approval ZRB Recommendation: Approval

Z-03-76 – An Ordinance to rezone from the R-5/HD20L (Two-Family Residential/Inman Park Historic District) District to the PD-H/HD20L (Planned Development-Housing/Inman Park Historic District) District, property located at the **Rear of 1124 DeKalb Avenue**, **N.E.**, fronting 50 feet on the southwesterly side of Haralson Avenue beginning 190 feet northwesterly from the northwest corner of DeKalb Avenue. Depth: Varies; Area: 1.51 acres; Land Lot 14, 14th District, Fulton County, Georgia.

OWNER: GENE FINK

APPLICANT: COOPER C. PIERCE

NPU-N Denial COUNCIL DISTRICT 2

Staff Recommendation: Approval with conditions ZRB Recommendation: Approval with conditions